

REMARKS

By the present amendment, Applicants cancel claims 20-22, 37, 39, 40, and 43 without prejudice or disclaimer of the subject matter thereof, amend claims 36, 38, 41, 42, and 44 to more appropriately define the invention, and add new claims 45 and 46 to more fully cover aspects of Applicants' invention. Claims 36, 38, 41, 42, and 44 - 46 remain pending.

In the Office Action ("OA"), the Examiner rejected claims 36 - 44 under 35 U.S.C. § 103(a) as unpatentable over U. S. Patent No. 4,626,876 of Miyagawa et al. ("Miyagawa"). Applicants address the rejection as follows.

Applicants traverse the Examiner rejection of claims 36 - 44 as unpatentable over Miyagawa. (OA at ¶ 14). In response, Applicants submit that a *prima facie* case of obviousness has not been established for pending rejected claims 36, 38, 41, 42, and 44.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference must teach or suggest all the claim elements. Furthermore, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03 (8th Ed., Aug. 2001), (quoting *In re Wilson*, 424 F.2d 1382, 1385, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). Second, there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify a reference. Third, there must be a reasonable expectation of success. See M.P.E.P. § 2143 at pp. 2100-122 to 127. In this case, Miyagawa fails to teach or suggest all the elements of Applicants' claims.

Miyagawa is directed to a solid state corona discharger. Miyagawa discloses various arrangements of electrodes for the corona discharger. For example in Fig. 1, Miyagawa discloses electrodes 2 and 3 separated by a dielectric member 1 and prescribes a thickness of dielectric member 1 "between paired electrodes 2 and 3." (col. 2, lines 13 - 23). In Fig. 5, Miyagawa discloses a discharger that includes first electrode 2 and a second electrode 3 sandwiched between two polyimide films that form a dielectric member 1, and a third electrode 5 formed on dielectric member 1. The discharger also includes a fourth electrode 4 which is to be charged. Miyagawa discloses that a corona discharge is created in air gaps 10-1 and 10-2 between the third electrode 5 and the fourth electrode 4. col. 5, lines 15-27. In Figs. 11 and 12, cited by the Examiner, Miyagawa discloses a corona discharger having a dielectric 1 enclosing ac electrodes "2 and 3 along with a mesh-like dc-applied electrode 5 placed on the dielectric." col. 8, lines 10 -15.

None of the arrangements of electrodes disclosed by Miyagawa teach or suggest an ozonizing unit as required by Applicants' independent claim 36 as comprising an electrode plate, including a first electrode and a second electrode, each having linear electrode elements formed on one surface of the dielectric substrate, the respective linear electrode elements of the first and second electrodes being formed in close proximity so as to produce a surface discharge between only the respective linear electrode elements of the first and second electrodes when a high voltage is applied across the first and second electrodes. For example, Miyagawa fails to disclose or suggest a pair of linear electrodes formed on one surface of a dielectric substrate and

fails to disclose or suggest the pair of electrodes being formed in close proximity so as to produce a surface discharge between only the respective linear electrode elements.

This manner by which the pair of electrodes formed on one surface of a dielectric substrate and in close proximity to each other produce surface discharge was previously explained in Applicants' Response filed October 24, 2003 with reference to Exhibit A attached thereto and again attached herewith for the Examiner's convenience. Miyagawa fails to disclose or suggest any such arrangement of electrodes for producing surface discharge.

Therefore, Miyagawa fails to teach or suggest all the elements recited in claim 36 and, hence, claim 36 is allowable thereover. Claims 38 and 41 are also allowable for at least this reason due to their dependence from claim 36.

Independent claims 42 and 44 each recite limitations corresponding to those discussed above with respect to claim 36 and are therefore also allowable over Miyagawa for substantially the same reasons that claim 36 is allowable.

New claims 45 and 46 are also allowable at least due to their dependence from allowable claims 42 and 44, respectively.

In view of the foregoing, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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